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App F IX 4

1927

File No 15

Previous References (nil)

Serial Nos. /

Later References
nil 91-27 Sls 1 to 8 & 14

General and Revenue Secretariat.

Serial Nos

Part B for

SUBJECT

Suggestions for amending ~~the~~ Municipal Regulation

33rd c.f.
2nd Ext

S.R.S. III—3]

CENTRAL REGISTRY 329 1926

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Chief Secretary with Compts

With reference to your suggestion that a separate Act should be framed for Junior Municipal Councils, I do not suggest that the work on the model of Punjab Small Towns Act should be confined to a Municipality having a population not exceeding 25,000 but that the principles underlying that Act should be applied to Municipalities generally, the Smaller Towns Municipalities being called Small Towns and the Larger Municipalities Towns.

The Punjab Municipal Act will then apply to Towns and Municipalities, the Smaller Towns Municipalities being called Small Towns and the Larger Towns Municipalities Towns.

Mr. Chatterji's Comments for Mr. Roy Sir Hugh Stephenson and Colonel.

Mr. Roy

Mr. Chatterji

Sir Hugh Stephenson

Colonel

16/7/26

I agree

16/7/26

I agree

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—6]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

A requisition has been made for copies of the Punjab small [illegible] Act Calcutta edn and is not available in the Library.—

[illegible]

A copy has been received from the Library [illegible]

[illegible]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

In all f[illegible] correspondence please quote this number
A.Dis.A.5-C.2850-26-27
Ence

OFFICE OF THE DEPUTY COMMISSIONER
KOLAR DISTRICT

Dated Kolar the 10th February 192 7

GENERAL & REVENUE 3906 10 FEB

FROM A. K. Syed Taj Peeran, Esq , B A ,
[illegible]
Deputy Commissioner, Kolar District

To

B Nagappa, Esq , Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative *Department, Bangalore*

SIR

Mel 151-26—2

With reference to your No L 4535-68 dated Bangalore, the 15th of January 1927, requesting that suggestions may be sent regarding the lines on which the present Municipal Regulation may be revised so as to make it applicable to suit the City Municipalities &c , and a fresh Regulation enacted for smaller Municipalities, I have the honor to state that in revising the present regulation so as to suit the City Municipalities, provisions relating to matters of procedure may be left out from i , and these be published as rules which may be altered, when necessary by a notification in the official Gazette As for enacting a separate Regulation for smaller Municipalities, my views on the matter are embodied in the enclosed note which I am forwarding for favour of perusal

I have the honor to be,
S i r,
Your most obedient servant,

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District

V.V.R
10227

POINTS TO BE CONSIDERED IN DRAFTING THE NEW MUNICIPAL REGULATION FOR MINOR MUNICIPAL COUNCILS

---

1 The new Municipal Regulation meant for Minor Municipal Councils should be simple, like the Village Panchayet Regulation of 1926 The provisions of the present Regulation relating only to the town and City Municipal Councils should not find a place as well as those that relate more or less to matters of procedure

2 Provisions prescribing the procedure of Municipal Councils may well be put into an appendix and by a provision in the Regulation, Government should reserve the power to make these applicable to all Municipal Councils and to add to or vary these, by a notification in the Gazette

3 Similarly there is to be another appendix to the New Regulation containing Type-bye-laws relating to matters which are generally within the province of the administration of Municipal Councils and by a provision in the Regulation these bye-laws should come into operation automatically within the limits of a Municipality as soon as it is constituted

(4) The Municipal Councils may be given the powers to propose, suspension of, or changes in any of these bye-laws to suit local peculiarities and after all preliminary steps are taken by the Municipal Councils the Deputy Commissioner should have the power to sanction the suspension or the changes proposed by the Municipal Council

The adoption of the course suggested here regarding bye-laws would put an end to one of the biggest evils of Municipal Administration and no Municipal Council would then drift helplessly for want of bye-laws

The following principles may also be kept in view when framing the new Regulation and the rules under it

1 Constitution of Municipal Councils -

(a) Fifty per cent to be elected and fifty per cent to be nominated, the local Medical Officer, the D P W. Officer and the Educational off may all of the

(b) The elected Vice President may have a three year tenure The present rule of his being in office for one year does not look like having given the incumbent of the office sufficient time for showing good work

2 Recovery of Municipal ~~Dues~~ Claims

There are now three ways open to a Municipal Council for recovery of what is due to it (i) by destraint and sale of the movable property of the defaulter (ii) By application to a Magistrate and (iii) by suit in a Civil Court

The second way, is rarely if ever taken I would suggest that the ~~form~~ forum for recovering the dues by suit should be the Local Village Munsiff Court, which should be empowered to entertain such suits

For Deputy Commissioner,
Kolar District

V V R
10227

K Rangalengar B A LL B

Advocate

TUMKUR

Date 27

Ref 151-26-3

3877

Sir,

With reference to your request, I am herewith sending a note stating the principles which the municipal authorities have to observe. Thanking you Kindly

Yours

Note on the General Remarks on which the municipal regulations may be amended

Municipal regulations do require the overhaul in toto, as at present various amendments passed from time to time have been creating several difficulties. It is also necessary to make a separate enactment for city municipalities. Some also suggest that a special enactment is necessary so far as the mayors city municipalities, mayors being the city where the sovereign's mayors live. Regarding Town municipalities one enactment by which these are all controlled will do. Smaller municipalities must also be dealt with separately under a different enactment.

Firstly let me deal with the Town municipalities. The number of members on the Town municipality must at least be doubled so that more men may help & take part in the civic welfare of the Town. Nominations must be reduced if they cannot be abolished. In case the number of electors members is doubled, there may be no necessity to both have a President elected by the general body of ratepayers. The President may have to be elected by the councillors alone & the present vice President is the successor. Thus no extra expenditure

of a municipal Government has elected as Vice
the President ought not to be the executive
head to carry out the executive work a
Special Arrangement must be provided for the powers
must be defined by the Code of this amendment
or provision is agreed to, there is no necessity to
provide for a Vice-President But if a Vice-
President is found necessary he must not
be chosen by the Vote of the Council, but by
the President himself, so that he may
Choose one who agrees with him

At present it is only the first meeting that
should have a Quorum, while an adjourned
meeting need not have a Quorum. This rule
of course be essential that every meeting
should have a Quorum, some rule now being
made by which the subject like drop of
there will be no Quorum for three meetings.

The rules regarding Contracts that may be
entered into by the Town municipal Council
should be clearly related, as also the
provisions relating to acquisition of lands within
municipal limits of municipality the municipal
President or a Committee to acquire a particular
land, if the party is not satisfied with the
award the Council the may go to a Court
against the municipal Council & Special
rules enabling the purposes must be
framed -

More latitude ought to be given
to the Councils to expend the money and
the Audit Control Should be relaxed
existing rules bye-laws, the

all the Bye Laws, and it must be made
obligatory on all municipalities to
adopt them the present system is very
cumbersome the City municipality be
may be allowed their own Bye-Laws
At present no municipality has
framed any rule of business Rules of
business that can be adopted by the
Town and minor municipalities must
be framed by the govt & they must
be adopted by the municipalities thus
will become uniformity in business

It must be made obligatory on
the Town municipalities to maintain
there own schools by levying educational
cess if necessary

Regarding taxes, the difference between
Rate and Tax must be made very clear As
it is there is much difficulty Even in
Town municipalities often we have
given to tax buildings on their rental value,
or Sanitary & lighting cess must be
made obligatory

The present method of levying taxes and
extraordinary new Taxes is very cumbersome and
the method regarding publication etc must be

greatly simplified.

The method of recovery of rates now by the municipality is also very cumbersome Power must be given to municipalities to recover rates by sale of immoveable properties instead of driving them to a Civil Court.

The powers of the municipalities for prevention of Nuisance must be very much enlarged. With the development of towns & cities such a power is highly essential

The control of the Deputy Commissioner must be removed at least in town municipalities & the Presidents of these municipalities must be given powers of direct Correspondence with the Govt.

A separate regulation would be necessary for each municipality

There are a few subsidiary principles which I consider essential to be adopted for securing better municipal Govt.

K Ramachandra Rao
Addl Dist
Tumkur

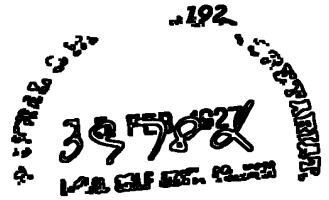
mdl 151 – 2 – 6 – 4

B Narasinga Rao

First Grade Pleader

Member Legislative Council

Mysore, 192



2.

To

B Nagappa Esq Barrister

Secretary. Local & Legislative Department

Bangalore

Sir

With reference to your letter No L&S 31 – 26 dated 18-1-27 I beg to state that the whole Municipal Regulation deserves overhauling in the light of the experience and also the Legislation in the neighbouring provinces There ought to be one separate Regulation for the City Municipalities and another for town Municipalities In the latter a few Sections and Chapter alone may be made applicable to the minor Municipalities The Regulation for the Cities may with advantage follow the provisions of the Municipal Boroughs Act of Bombay

I am really at a disadvantage in not having with me an up-to-date municipal Regulation of our State with all the amendments It is rather difficult to suggest the principles on which the different Regulations are to be framed A careful reading of the whole Regulation together with the Regulations of other provinces, may disclose defects but may

have crept into our Regulations and suggest
I regret I have no time to undertake this
business just now as I am otherwise busy. A
properly constituted Committee may be
with the work of going through the Regulations
carefully and suggesting necessary alterations and
improvements. The said Committee has to
many steps to frame the new Regulations and
sufficient time must be allowed to the Committee
to complete this arduous task

I have the honour to be
Sir
Your most obedient servant
M. K. Gandhi

T / Add —Depcom,
CHITALDRUG

In reply pl se ref t
N A-6 L 2799/26-27
E losures

OFFICE OF THE DEPUTY COMMISSIONL
CHITALDRUG DISTRICT

Dated Chitaldrug 18th February 1927

FROM

D SRINIVASA IYENGAR, Esq B A ,,
Deputy Commissioner
Chitaldrug District

4073 C
21/2/27

To

B Nagappa Esquire Bar-at-Law
Secretary to the Government of Mysore
Local and Legislative Departments
BANGALORE

ml 151-26-5

Sir,

With reference to yo ir letter no L 4535-68 dated 15th J nu 1927 requesting me to forward my suggestions in the matter of the revision of the existing Municio l Regulation and the en ctment o separate Regulation for the smaller municipalities in the State I have the honor to sugrest that a certain minimum standard either of income or population or both may be laid down as the prerequisite fo constituting any area into a town or minor Munic pal Council I wo - propose the following rule which need not however affect the exi ti local bodies

	Po ulation	Income
1 Town Municioal Councils	6000 & above	Rs 10000 and above
2 Minor Municip l Councils		2000 or Rs 2500 & abov

2 The following sections of the Municio l Regulation VII of 1906 may be made applicable to minor municipalities in addition to those already made applicable under Government notifications o L 7308/ml 150-21-5 dated 14th June 1922 and L 6826/ml 69-22-99 dated 28th February 1924 -

(a) S 27(1) & (2) re managing committees
(b) S 59 VIII water tax where special water supply has been given
(c) S 59 IX Lighting tax
(d) S 71 Water rate
(e) S 126 Dangerous quarrying
(f) S 131(3) Deserted build ngs

3 At present sanction of Government is necess ry under section 40 of the existing Municio l Regul tion for every lease for term exceeding seven years and for every sale or other transfer of immov bl property exceeding s 200 in value if such sale or transfer of property is by a Town or minor Municipal Council Power of sanction may

the De minor

municipalities

4 Whenever any free grant of land is made by any town or minor municipal council to private individuals for being used for any public purpose or in exchange for any land taken up from private parties for municipal purposes it would be better if the previous sanction of the Deputy Commissioner is obtained therefor

5 In the draft bill published in the Mysore Gazette dated 27th January 1927 to further amend the Municipal Regulation of 1906 it is seen that a new provision is proposed to be made in the Regulation empowering the Deputy Commissioners to take cognisance and decide finally the disputes arising between two or more local bodies in the same District Similar provision may be made in the Municipal Regulation for the decision of disputes between the private parties and the town or minor municipal councils and the Deputy Commissioner authorised to decide such disputes subject to appeal to Government by either party

I have the honor to be,

S I R

Your most obedient servant,

[illegible]

Try Assistant Commissioner,

For Deputy Commissioner,

Chitaldrug District

(Absent from station)

To

Mahomed Abbas Khan, Esq ,

G Paramasiviah, Esq , B A , LL B.,

B.K Garudachar, Esq ,

K Matthan, Esq ,

Rajasabhabhushana Diwan Bahadur
C Srikanteswara Aiyar, Esq , B A
B.L.,

Rajasabhabhushana Diwan Bahadur
Sir A T Puttanna Chetty, Kt , C I

Sir,

In continuation of my letter No L 4535-68/11 151-26-1 dated 15th January 1927 I am directed to forward herewith for your use a copy of the Mysore Municipal Regulation as amended up-to-date and to request you to be so good as to expedite the suggestions, if any, that you may wish to make - in regard to the revision of the Municipal Regulation

I have etc ,

for Secy to Govt
Law Dept

No. L 6146 B 1-2-27

To

B. Narasinga Rao, Esq.,

Pleader, Chamarajapuram

Mysore

Sir,

I am directed to forward herewith for your use a copy of the Mysore Municipal Regulation as amended uptodate

I have etc.,

28/2/27

For Secy to Govt.,

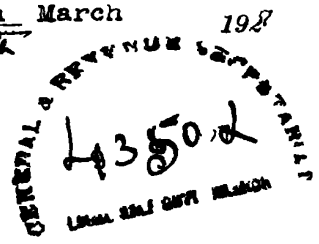
Law Department

No C 2542/26-7

Encl

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE

Camp Chikmagalur
Dated ~~Bangalore~~ 5th March 192[illegible]
7th



FROM

P G D'Souza Esq , B A , B L ,
Revenue Commissioner in Mysore

To

The ~~Chief~~ Secretary to the Government
of His Highness the Maharaja of Mysore
General ~~Law~~ Department, *Bangalore*

SIR,

151-26-6

Referring to your letter No L 4535-68 dated the 15th January 1927, in re the revision of the existing Municipal Regulation, I have the honor to forward herewith a note containing my suggestions

I have the honor to be
Sir,
Your most obedient servant

Revenue Commissioner

MBR

N O T E

(1) The existing Municipal Regulation to be made applicable only to City Municipalities and to Town Municipalities with a population of above 6000 or an income of Rs 12 000/

(2) The above Municipalities may be given the privilege of having a non-official President who may be either elected by the rate-payers or nominated by Government

(3) In the case of these Municipalities the Government should have the discretion to call upon the Municipal Council to appoint a Chief Officer preferably a lent officer of Government

(4) In Municipalities where a separate Chief Officer is appointed, there need not be a separate Vice-President

(5) The Comptroller must be given the power of surcharging the Municipal Councillors and the President, in the case of misapplication of Municipal Funds as the present remedy of seeking redress in a Court of Law is not quite effective

(6) Not less than 2/3 of the Municipal Councillors in the above to be elected, and the rest to be nominated only from among the non-officials In case, the presence of any officer of Government is required at any Municipal Meeting, he must attend the same when required to do so by the President

(7) As regards the other Councils, half of the Municipal Councillors to be elected and the rest to be nominated both from the non-officials and officers

The Amildar to continue as President in the case of these Municipalities and a non-official Vice-President to be elected by the Council itself

(8) In the case of the Second Class Municipalities, the taxation s framed under G No R 6319 9-6 dated

(9) Appeals against demand notices now lie to the Magistrates This may be modified and the Deputy Commissioners empowered to nearthem

(10) Primary Education to be placed under the control of First Class Municipalities

Revenue Commissioner

B. SREENIVASAIENGAR.
HANDAR.

ANEKAL P.O.
(Bangalore District.)

Dated 19 3 1927

To

Dear Sir

I am very sorry to write that I was not able to work and send my note on the Immovable Regulation before the Stipulated time on account of circumstances which were beyond my Control namely Rs Elections I will send it before the end of the month and I request you to be so good as to kindly Excuse me for the delay

Thanking you I remain

Yours sincerely

B Sreenivasaiengar

To

I Singaravelu Mudaliar Esquire BA BL

Assistant Secretary Law Depth

Mysore Govt Castle

Bangalore

47902
5 APR 1927

Mul 151-26-7

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self-government Law Departments,
Bangalore

Sir,

With reference to your letter no. 4073-6t inviting opinion regarding the revision of the Mysore Municipal Regulation, I have the honour to forward herewith a brief notes embodying the few suggestions I have to make in this conection The note is necessarily brief as details are to be considered by a committee to be appointed by Government I have dealt both finance and staff questions also as the Rules and Regulations have to be framed according to the law and instruct available.
I regret the delay in sending this reply.

I have the honour to be,
Sir,
Your most obedient servant,

Mysore Municipal Commissioner

(camp) Bangalore
1st April 1927

Note on the working of the small Municipalities in the Mysore State Municipalities

---

There are three kinds of municipalities in the state namely City, Town and Minor working under one and the same Mysore Municipal Regulation of 1900 amended upto-date

The difficulties in City Municipalities and some of the Town Municipalities getting an income of more than Rs 10000/- per annum, are quite different from those experienced in Town Municipalities with an income of less than Rs10000/- and in Minor - municipalities

In the case of former set of municipalities, they can be called municipalities as they can discharge the municipal functions to some extent Even such municipalities are finding it difficult to make both ends meet But in the case of the - latter set of municipalities these are called - municipalities for name sake with no funds and staff to discharge even the most essential duties and functions They are neither Towns with trade nor small Villages. They are mid-way I shall now consider this latter class of municipalities only

I have to refer from letter No 4535-66 dated 15-1-27 of Government addressed to me that there is an impression that the real difficulties

in working these municipalities can be solved by amending Rules and Regulations

In this matter, the real practical difficulties do not lie in the format of Regulation but in the financial condition In these so called municipal towns, trade is very little and majority of the inhabitants are agriculturists The municipality can neither afford to have adequate staff nor money to do its essential duties This is the real difficulty and not the Rules and Regulations which are plenty If these small municipalities are not in a position to frame their own Rules and Bye-Laws model Rules and model Bye-Laws may be framed and issued or Government themselves may issue rules instead There is not much difficulty about that But the real question at issue is about funds and staff This has to be taken up first and a solution arrived at if any workable method is to be done The budget of these municipalities has to be shaped according to the money cloth available which results in an unsuitable coat Further taxation is impossible Toll and octroi are obnoxious and most unsuitable to such municipalities without adequate staff

Let me give some details of the existing conditions

The staff in these municipalities with an income of less than 10000/- are one clerk Patel and sharbogue or a single shamgue, peon and none

vise taxation, collection, sanitation, works, census taking for compulsory Education and compulsory vaccination etc , and out door duties The single clerk who gets a pittances of Rs20/- or Rs25/- per month has to attend to both the executive and clerical - duties The funds are not enough to have - whole time bhantogue for collection work So the hereditary Patel and bhantogue do these - duties umber of sweepers and servants is not at all sufficient There is no wholetime vaccinator

A solution has to be arrived at to solve this most important matter as good or bad work depends on the financial resources and Staff.

Finance

The present income is not at all sufficient to meet even the normal recurring expenditure The Taluk Head Quarter and minor municipalities alone pay Educational and Medical contributions from a long time, whereas District Head Quarter municipulities pay little or nothing

The taxes are inelastic But the cost of essential duties are increasing day by day

For instance, the Anekal and Sarajapur Municipalities, have levied all taxes possible and raised their house taxes But it is not possible to meet the normal recurring expenditure

There is every advantage to big municipalities with more than an income of Rs50000/-

Even income such as Excie surcharge and registration fees are given to big municipalities as the big municipalities can spare money for improvements, they get grants also and the small municipalities get nothing as they cannot spare money for nonrecurring capital expenditure The premier City municipalities which get large income are given grants for even recurring expenditure in addition to capital expenditure those local bodies which can afford to meet half way for their schemes of future improvements obtain unexpected wind-falls, which other small may local bodies with slender means which may be more backward and more necessitons obtain nothing for they cannot meet halfway That is, those that are fatty and healthy get codliver oil whereas those that are weak and are languishing get nothing and are allowed to run down.

To sum up all advantages to big municipalities, and disadvantages to small municipalities But it should not be understood that no help should be given to big municipalities On the other hand, it is our earnest prayer that fixed annual grants may be given to all municipalities equally and uniformally for capital expenditure to be supplemented by the municipalities from their income if they can afford

As trade is very little in small towns much income from octroi and mohatarfa cannot be expected Every item of work is an obligatory duty as per Regulation But our t[illegible] power and resources are limited and inelastic,

are to be discharged
and to the duties as far as funds permit

Contributions

Education The Education cess should be treated as municipal contribution and no further contribution should be levied Most of the inhabitants of small municipalities are - agriculturists, and as such they are paying - double tax for education, both on land revenue as Agriculturists, and on house tax in municipalities Ex Tumkur Town municipal pays neither cess nor contribution

Medical.

There is no uniformity now, to make the levy uniform, 5 per cent of the anual normal income may be levied from all municipalities for medical reliefs The income from such levy will be more than the present income

Regarding Finance of local bodies in foreign countries I may be permitted to quote here an extract from a note by Mr J D Clifton I C S ,°

"Municipalities have, it is true, the power to levy special rates for special services such as house-conservancy and water supply, but the amount of these rates is of the general rates, is subject to a fixed maximum

The financial problem therefore throughout all branches of provincial administration has been to cut the coat according to cloth The first step in every budget has been to see the revenue to be anticipated, over the expansion

of which the local authorities have practically no control and afterwards to make distribution not according to the necessities of each service but according to the means available In England wherever Parliament imposed a obligation upon a local body, that body is at the same time authorised to raise without restriction whatever money is necessary to carry out the duty There is no limit imposed upon the general rates which the local authorities can raise without reference to any superior authority Their budgets are prepared in exactly the converse way from those of the local bodies in India by first ascertaining what is required to maintain efficiently the services undertaken and then striking a rate provide the total amount necessary under all heads

Extract from a note on municipalities in Australia by Mr J R Briggs

"Each council is required to prepare a budget or estimate of receipts and expenditure for each financial year When the amount which it is proposed to expend has been decided upon the council makes a rate to provide such sum less revenue which will be available from sources other than rates such rate may not exceed the sum of 3 shillings in the pound of the annual value of property in the Municipality

General Provision should be made to compound municipal offences as forest offences -

sec 161 A on this already made

Land acquisition proceedings should be simplified and the duties of local bodies etc, other officers should be clearly defined The municipalities should be allowed to correspond

direct with government and send copy of letters to Deputy Commissioners for information if necessary.

Permanent improvements to the towns

Small municipalities with a population of less than 10000 or an annual income of less than Rs 10000/-

1 Sanitation and water supply - Water supply should not be elaborate but only to improve the existing sources, such as sinking wells and improvement of tanks, if any with-in the municipal limits

2 Construction of slaughter houses and markets

At present the vegetable shops are being located by the side of drains in the public roads The slaughter house is being kept in the heart of the town and in an insanitary building Seperate slaughter house outside the town and a market must be constructed

3 Improving the drainage of the towns

4 The government may be requested to get town planning work in small municipalities to be done free of cost by the sanitary department

As stated already it is not posible to meet the normal recurring expenditure even Therefore the government may be pleased to give fixed annual grants for capital expenditure Otherwise these towns cannot have any improvements in their present financial condition. One or two items of work may be taken up each year as funds permit.

To work out the third items of work i e . Improvement of drainage it is first necessary to see that the towns are surveyed and plans prepared with levels marking therein, the important items of work in the order of urgency The town project should be prepared in consultation with the municipalities concerned so as to be within the means of a municipality The drainage works in a municipality should not be suggested on an elaborate scale as is done in city Improvements It should be as simple and cheap as possible so that the drainage and sullage of the town may all be diverted into the nearest warter course instead of diverting the drainage to one single drain which may cost a heavy expenditure

Re. Drainage

Drains should be led off in their natural valleys They should be classified according to urgency into

1 Main drains,
2 Subsidiary drains where there is a large quanity of sullage water
3 Subsidiary drains where there is sullage
4 Subsidiary drains where there is no sullage

There need not be elaborate septic tanks etc .

Under these circumstances, I beg to submit that the financial and staff questions may be kindly taken up first or taken up along with the question of changing the Rules and Regulations, and solved and thus enable the municipals councils to discharge their duties efficiently

Regarding Regulations and Rules

The present regulation with slight modifications will suit these municipalities also Only instead of the municipalities framing their own rules and Bylaws the Government may frame Rules.

(1)

In amending the present Regulation or framing a new Regulation the following matter may kindly be taken into consideration

There need not be separate Committees

(2) The education attendance committee also may be merged in the municipal council

Chapter 1V of the municipal Regulation may be deleted and power taken to frames rules instead,

(3) or model bye-laws and Rules both in English and Tamil may be provided

Re Chapter V11 ad V111

Kind of taxes and maximum rates may be

(4) fixed leaving discretion to several municipalities for selection and fixing rates within the maximum.

Mode of levy and collection should be simplified There should be no bill system.

(5) The present collection and levy should correspond to Revenue system as there are no seperate collecting agents and as inhabitants, are all almost agriculturists

As the taxes are charges on the property

(6) powers should be given to sell vacant sites for arrears of taxes.

Chapter 1X section 96 may be simplified

Other provisions are necessary with slight modifications here and there, and may be simplified

There are more stringent sections in Madras Local Boards Act of 1920 for Unions and Villages

Re ~~The amendment~~ A M ules may be simplified As almost all these small municipalities have got simple chers the number of Registers and forms to be maintained and returns to be submitted could be minimised or be simplified ~~foreign~~ Ie systems like P rliamentc are unsuitable to our country P ish system is not introduced even into Village panch which are small enough But if it is introduced into what are called 'group Hamlets ' Even in England in large Parishes where parish system is unsuitable the business is conducted through elected rish councils just like our municipal councils It is not at all possible to conduct business through the assembly of all electors in town with a population of 5 00 to 6000 or even between 2000 to 3000 Therefore I think in my humble opinion that it is not suitable to our small municipalities

The other details may be discussed in the comitee that is to be appointed

Thanking you

Yours faithfully

2 4 1939 Chandra Bagh

ASR

WD 61296—GPB—97,500—1-6-26
App F III—2

General and Revenue Secretariat | File No. | of 192

Serial No.

7090
10/1

A draft circular letter to the Deputy Commrs and the President of the Cantonment Council and the Municipal Commissioner, Bangalore, calling for ~~reports~~ suggestions regarding the amendments that may be made to the Municipal regulation as submitted for approval

Suggestions may be called for

25
7/11/27

(Illegible) 8/11

Please forward the Quasi name, as well as non name persons who may be invited before the Committee meet

for 11/11

25 11/11

8/11

For additional names approved by the Member please see Separate Slip attached to the draft The draft as finally approved by the Member is to be issued now Submit for perusal

25
12/11/27

12/11

To

The Deputy Commrs of Dts

The President, Mysore City Ll. Cl

The Pl Commr, Bangalore City through the President

Sir,

It is under contemplation to revise the existing Pl Regn. so as to make it applicable to City Municipalities and other important Town Municipalities and to enact a separate Regulation for smaller Municipalities in the State I am directed therefore to request you to be so good as to report on or before the 15th February 1927 the changes that may be introduced into the Regulation together with brief reasons for the same

I have etc.,

Secy to Govt

Rajasabhabhushana
Dewan Bahadur Sir A P Puttanna Chetty, Kt , C I E

Mushir-ul-mulk
Khan Hamza Hussain, Esq , B A , B L

P G D'Souza, Esq , B A , B L ,

N Madhava Rao, Esq , B A , B L

K Rangiengar, Esq , B A , LL B ,

N L Ranjundiah, Esq ,

B Abdur Rahmon Esq ,B A ,

C B Gopal Rao Esq ,

K Venkatasamiah, Esq , L A , B L ,

B Srinivasiengar, Esq

L Vema Reddy Esq ,

S Shama Sastry, Esq

C Subba Rao, Esq , B A , B L

G R. S III—8]

ROUTINE NOTES

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Flag W
Page 452

With reference to the First Member's Order dated 12th January 192 on the draft letter regarding the appointment of Commissioners in Ire and the City Managers in America, a reference is invited to the article Local Govt in Ireland in the National Municip Reviews of August 1926 Under the Local Govt Act of 1923, the Govt. Ireland took up power to dissolve a Council guilty of inefficiency or refusal to carry out the orders of t Local Govt. and empower any Council that so wishes to delegate its powe to a Manager or a Commissioners T most recent decisive step taken by Govt of Ireland was to suppress th Municipal Councils of Dublin and Co as well as the several minor Boards proved inefficiency and corruption to substitute in their place paid Commissioners on the American plan under the direct control of the Loc Govt Department

In order to decide whether a pr vision to the similar one in Irel

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W D 1928—GPB—1,80,000—qp-n

ROUTINE NOTES

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in America may be incorporated into more Municipal regulation a brief survey of the details of the constitution of the Municipal corporations in America is necessary The beginnings of the American Municipal system are to be found in the incorporation of the Colonial boroughs during the latter half of the 17th century. Upon the request of the Burgesses or the inhabitants charters were issued by the -- Governors In general, all the boroughs were provided with a form of Govt which approximated that of the English Municipal Corporation in the days before the epoch of reforms In each case -- provision was made for a governing body ~~through which work~~ to which were given the corporate powers of the community The Governing body was styled "Mayor, Aldermen and Commonalty" of the borrough and consisted of a single Council made up of a Mayor, a small number of Aldermen and a larger men of Councilmen, all -- sitting together. Generally the Alderman and Councilmen were chosen by --

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This note has been based on the information contained in

(1) Munro's Govt of American cities - especially pages 1-28, 295-310, 386-400

(2) Shaw and Bahadurji's contn, franchise and finances of Indian Municipalities, pages 18 to 22

25/2/1127

ROUTINE NOTES

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on regular intervals by popular vote, but the Mayor was generally appointed by the Governor of the Colony. The successful outcome of the revolution and the adoption of the new State constitution served to bring about great changes in the form and the spirit of -- Municipal Government Municipal -- charters were henceforth granted not by the Governor alone but by the State Legislature and the city charter therefore became a statute which might be -- amended or like any other statute The new Municipal constitutions differed -- considerably from the old ones The old idea of the borough as "Close corporation" was discarded and the new -- order rested on the idea that admission to the citizenship should be made easy and that the officials of the -- borough Govt should be elected. The Mayor came to be elected by the Aldermen from among their own number but his post was no more than that of the presiding officer The charter of Philadelphia issued in 1789 is a good example of the change which was taking place in the spirit of Municipal [illegible] and the decade in which this charter -- was granted was a period of special --

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G R [illegible]—3]

ROUTINE NOTES

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G R S III—3]

ROUTINE NOTES

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crisis in Municipal development ~~forms~~ an epoch of transition ~~of~~ from old English to the new American type of urban Govt The making of Local Govt essentially representative ~~is~~ was the outstanding feature of the Philadelphia charter and it paved the way for the charters at the beginning of the new century and embodied ~~this~~ more important ideas concerning Govt organisation that had been recognised in National and State constitutions -- The ~~principles~~ principle of divided powers, or of ~~checks~~ checks and balances, in other words the doctrine that executive and legislative authority should be vested in ~~separate~~ separate and -- independent hands was the most prominent features of this constitution The -- doctrine of separation of power gained recognition everywhere and determined the main channel of Municipal development The establishment of double -- chamber legislatures, the entrusting of some executive functions to the upper of these two chambers and the executive veto followed as corollaries to this doctrine In ~~the~~ larger cities appointments to administrative posts vested - for the most part within the power of the City Council and as the ~~system~~

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G R 6 III—3]

ROUTINE NOTES

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Routine Notes.

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of this body were usually chosen from wards in contests conducted along party lines they readily fell into the habit of bestowing such appointments as political patronage The idea of rotation in office as a maxim of democracy having made its way from national and state politics into city affairs — even office-holders of the dominant — political party had to give place when their terms expired and all incentive to the development of skill and efficiency in the conduct of Municipal — administration was thereby removed Later on it was prescribed that officers in charge of city departments should be chosen by the popular vote This gave them independence of the Municipal Legislature and was an important step in the direction of — divorcing the administration of the City Govt from the legislative some advantage came from the — administrative departments being given a position of independence, it soon became — apparent that efficient heads for the branches of city service could be secured by popular election In various cities the selection of the city

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G R.S III—8]

Routine Notes.

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officials had to be taken from the voters and given to the Mayor with the restriction that the appointments should be subject to confirmation by the upper chamber of the City Councils ~~and~~ ~~This~~ system of City Govt which rested upon the principle that Legislative and administrative functions should be -- vested in substantially independent branches ~~was~~ in force in ~~all~~ almost all the cities in America, with a few changes here and there Powers were from time to time - shifted about among the several ~~organs~~ of local Govt in the hope that better results might thereby be obtained

In 1901, ~~the~~ proposals to abolish the traditional separation of legislative and administrative powers and completely re-organise on a simplified basis, the whole Municipal frame-work, was made in Galveston and the plan spread rapidly The plan is known as City Govt by a commission The essence of the commission form of Govt completed by Des-Moines in the State of Iowa in 1907 consisted in an elimination of the city ~~Municipal~~ Council ~~and~~ together and the investment of ~~the~~ all the power both legislative and executive in an administration commission, usually ~~of~~ 5 persons elected on a general

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G R.S. III—81

Routine Notes.

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GRS III—8]

Routine Notes

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while in similar cities the strength of the commission was often reduced to 3 although the commission combined legislative as well as executive capacities in its power to enact all ordinances and vote all appropriations, it was really in intention and function an executive rather than a legislative body The commission controlled the entire administration of the city and appointed all minor city officers either collectively or as individual commissioners so that the city electorates had to elect no other officer but the commissioners themselves With the adoption of commission charters most cities used the opportunity to make other organic changes such as the introduction of provision for initiation [illegible] for direct legislation, referendum before final enactment of contemplated measures for the opinion and decision of the city electorate by a special memorandum, recall of unacceptable or incompetent executive officers in city Govt and [illegible] of all persons and authorities on a non-partisan basis exclusively with an eye to the merits of each particular candidate

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G R S III—31

Routine Notes

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GRS III—8]

Routine Notes.

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The chief objection to the commission form of city Govt arises from the fact that executive functions are entrusted to 5 men and that the location of responsibility is, therefore, not sufficiently defined In other words - the objection is not to the union of the two classes of power but to the inadequate concentration of one of these classes, viz , the executive powers Executive work, if it is to be done efficiently, must be apportioned to the officials who will be individually responsible for it That principle was recognised in the commission plan which grouped all the administrative work of the city in to 5 departments and placed one of the commissioners directly in charge of each. The practical difficulty in the arrangement was that the whole commission might by majority over-rule any action which an individual commissioner might take in regard to the affairs of his department and that the voters were prone to expect with the candidate who offered himself as a member of the commission would have some special qualification by training or experience for administrative work which he had to do he

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G R.S III—31

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G R S III—31

Routine Notes

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The commission plan was not in its inception based upon the idea that - efficient working heads of administration departments could ever be secured by electing them - it was not intended that the members of the commission -- should be working heads of departments yet, that was just the direction in which the plan actually developed In most commission-governed cities liberal salaries were provided for each of the commissioners and this meant that the commissioners were expected to give a great deal of their time to city work and encouraged them to take an hand in the actual details of departmental business

The City Manager plan was devised to remedy the two chief defects in the form of Govt , viz , the lack of concentration in administrative responsibility and the tendency to put the various departments in direct -- charge of men who had no expert qualification Dayton, Ohio, was the first large city to use this plan and the chief provisions of its charter are as follows -

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G.R.S III—3]

Routine Notes.

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Routine Notes

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(1) All Municipal powers except those relating to the management of schools and public library are vested in a Commissioner or small city council made up of 5 members elected at large for a four year term The election takes place every second year and some of the commissioners (2 or 3 members as the case may be) are chosen at each election The candidate who receives the highest vote in the election at which 3 commissioners are chosen is given the title of Mayor but he has no special functions except those that of presiding at the commission Any member of the commission after he has served 6 months is subject to recall, and provision is also made for the initiative and referendum as in most cities under the commission form of government The commission by majority vote enacts the municipal ordinances and has a general control over the city's finances It also appoints the city Manager but it has no authority in regard to the subordinate appointments nor may it interfere directly with the details of the departmental administration Its control over actual administrative work is confined to the appointment of the City Manager

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[G R.S. III—6]

Routine Notes.

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III—8]

Routine Notes.

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(2) The entire control and supervision of the administrative function is vested in a City Manager This -- official is appointed for no definite term and he holds office at the will of the commission and may be removed by a majority vote of that body He is also subject to recall in the usual way His salary is fixed by an ordinance of the commission The City Manager may attend all meetings of the Commission in an advisory capacity -- with the right to take part in the - discussion but ~~the~~ without the - right to vote on any matter He may - recommend to the commission any measure that he may think it expedient and must keep it fully informed as to the --- financial needs and conditions of the city He has no power to raise or -- appropriate money for any purpose The City Manager must see that the laws and ordinances are enforced and this makes him any law as well as in fact the real executive head of the city, and he has the right command of the commission in -- carrying into effect the policy of the commission as expressed in the Municipal ordinances ~~The City Manager may~~

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G.R.S. XII—6]

Routine Notes.

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Routine Notes.

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(3) There are 5 administrative ~~Departments~~ branches under the City Manager's ~~Provision~~ Supervision here there is a wide departure from the orthodox commission plan of City Govt In the commission plan -- one of the members of the commission is placed at the head of each Department and and in the city Manager plan each department is placed in charge of an appointive head This distinction is vital in that it points a way to the removal of one of the gravest ~~provision~~ governmental to the commission form of city Govt

(4) Services under the city are divided into two classes, viz "unclassified services" and "classified services" -- The unclassified services include the heads of departments, the city clerk the members of the appointive Boards, the deputies and secretaries of the city Manager and one assistant or deputy secretary for each Department The city Manager may appoint and remove all the heads of city departments and all subordinate officials subject to the condition that in the case of the unclassified services appointments may must be made under the regulations of the civil service Board and in the case of unclassified services they must be made on a basis of merit and fitness

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G.R.S. III—8]

Routine Notes.

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III—8]

Routine Notes.

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A survey of the various changes -- that have taken place in the constitution of Municipal corporations in America shows that the Municipal form of Govt in vogue in Mysore is practically the Council form of city Government with a few changes The appointment of local officers as Presidents of Municipalities exists in all most all the Municipalities though in a few cases Chief Officers, and a Commissioner in the case of the ----- Bangalore City Municipality have been appointed solely to attend to Municipal work The provision recently inserted in the Fl Regulation for empowering the general body of voters to elect the President of the Municipal Council will not by itself improve the efficiency of the Municipal administration. Laxity the collection of municipal taxes, the way in which the Municipal accounts are maintained and the general apathy of the majority of Ml. Councillors in maintaining the efficiency of Ml. service point to the desirability of making some agency other than the -- Municipal Council responsible for the - executive administration of the Municipal affairs that

P T O

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G R.S III—8]

Routine Notes.

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Under the Bombay Major Municipalities Act recently enacted the executive powers for carrying out the provisions of the Municipal Act are vested in a Chief Officer subject, whenever it is so expressly directed to the approval or sanction of the Municipal Council or the Standing committee, and the appointment of a Chief Officer is made compulsory Some such provision in our Municipal Regulation is likely to improve the administration of the Town and city Municipalities In the Minor Municipalities it appears expedient to continue the Amildar as the President and hold him responsible for exercising all the executive functions on behalf of the Municipal Council in a proper way

In the Bombay Major Municipalities Act (Vide Sec 219) power is also taken to dissolve the Municipal Council and on dissolution of a Municipal Cl the Municipal Council should be re-

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GRS III—3]

Routine Notes

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re-established by the election or appoint ment of Councillors In Secn 179 of the Mysore Municipal Regulation power is reserved to Govt to supersede for period, the Municipal Council In such a case all the powers and duties of the M Council during the period of supersession shall be exercised and performed by such person or persons as the Govt from time to time appoints in that behalf If in such place of the M Council ~~under the provisions of the Ml. regulation power~~ has to be taken to Govt for any unlimited period or as a permanent measure to ap ointment of a solely individual or two or three individuals to exercise and perform the powers and duties of a Municipal Council a special provision will have to be inserted in the Municipal Regulation to this effect

26/11/27

(Member)

Please send to Mr Strangman RB 12/12/27

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Sent on personal to the Member 12/12/27

G R.S III—6]

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Routine Notes.

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Replies from the Deputy Commissioners of Kolar and Chitaldrug Dists and from Messrs A Rangiengar and L Narasinga Rao only have been received Mr S. Hiriannaiya, said that he will send his views in a short time He in favour of the executive duties being conferred in Municipalities on the Executive Officer subject to the control of the President The Bombay Borough Act has been framed on this principle.

Copies of the Mysore Municipal Regulation as amended uptodate have been received Mr A Ramachandra Rao said he could not find any time to make any suggestions in regard to the revision of the Municipal Regulation. Mr T Narasinga Rao stated that he is at a disadvantage in notbeing having received an uptodate copy of the Municipal Regulation and that the Bombay Boroughs may be made applicable for the cities with advantage A draft letter forwarding a copy to Mr B. Narasinga Rao and another draft forwarding copies of the Regulation to the following

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Routine Notes.

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Gentlemen and requesting them to ascertain their views regarding the further revision of the Regulation are submitted for approval -

1. Mr. Mahomed Abbas Khan.
2. Mr. T. Paramasivaiah.
3. Mr. B. A. Garudachar
4. Mr. J. Matthan
5. Rajasabhabhushana Diwan Bahadur Mr. Srikantesvara Aiyar
6. Rajasabhabhushana Diwan Bahadur Sir K. B. Puttanna Chetty

23/2/27

Issued as No. L 6140-47 of 1-3-27

From the Resident in Mysore

No. 2542/26-27 of 7-3-27

Submits a note containing his suggestions in the matter of the revision of the existing Regn.

Send for perusal

93 1/2/1013

All the suggestions read & are agreed to. The heads of alone deserve consideration. None may be left out. Let Committee Sitting be convened

7/3/27

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I am directed

R S III—3]

ROUTINE NOTES

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From

Mr B Srinivasiengar,

Anekal

Letter dated 2nd April 192[illegible]

Submits his suggestion in regard to the amendments of the Mysore Municipal Regulation

Mr Srinivasiengar has made certain observations and suggestions in regard to the insufficiency of funds and staff and certain other matters and requests that the financial and establishment -- question may be taken up along with the question of changing the Regulation and the rules He has made no definite proposals in regard to what should be done to improve the financial condition of the Municipalities, and how the ~~question~~ question of the establishment may be disposed of These questions do not appear to affect the policy to be --- followed in framing the Regulation

Mr Srinivasiengar's proposals to amend the Regulation are contained on pages 8 and 9 of his letter and they are six in number as noted below -

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G R S III—3]

ROUTINE NOTES

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(1) Instead of 'l Cls framing their own Rules and bye-laws the Govt. may frame rules

(2) There need not be separate committees, the Education Attendance Committee also may be merged in the Municipal Council

(3) Chapter IV of the Municipal Regulation may be deleted and power taken to frame rules instead or model bye laws or rules both English and Sanarese may be provided.

(4) Kind of taxes and maximum rates may be fixed leaving discretion to other Municipalities for selection and fixing rates within the maximum.

(5) Mode of levy and collection should be simplified There should be no bill system and The khist collection and levy should correspond to revenue system as there are no separate collecting agents and as the inhabitants are almost all agriculturists

(6) As the taxes are charges on the property, power should be given to sell vacant sites for arrears of taxes

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[III—3]

ROUTINE NOTES

[for routine suggestions, etc., not intended for permanent record]

Suggestions Nos 1,3 and 4 have been adopted in framing the Minor Municipalities Bill. Suggestion No 2 does not affect the Municipal Regulation and suggestion No 5 has been followed in framing the Village Panchayet Rules and the suggestion may be considered while framing rules under the Minor Municipalities Regulation. Suggestion No 6 involves a very important principle. In Section 105 of the Bombay Boroughs Act power is given for attaching immovable property for arrears of taxes. A similar provision will be made in the present Regulation. It does not appear expedient to confer such a power on Minor Municipal Councils.

DS
6/4/27

ex-officio members of the Council

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G R S III—8]

ROUTINE NOTES

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From whom received	Suggestion	Seen of the Ml Regn.-- affected	Reference to the -- Draft Bill	Notes
Deputy Commr , Kolar	1 The new Municipal Regulation meant for minor municipal -- ouncils should be simple like the Village Panchayet Regulation of 1916 The provisions of the present Regulation relating only to the town and city municipal cls should not find a place as well as those that relate -- more or less to matters of - procedure 2 Provisions prescribing the -- procedure of municipal Councils may well be put into an appendix and by a provision in the Regulation Govt should reserve the power to make -- these applicable to all Municipal Councils and to add to or vary these by a notification in the Gazette 3 Similarly there may be anotrer appendix to the new Regulation containing Type Oby -laws relating to matters which are generally within the province of the administration of municipal Councils and by a provision in the Regulation these by-laws ex-officio members of the Council			A Simple Draft has been prepared Matters of procedure will be prescribed by means of rules The -- rules may be altered by Govt whenever necessary- After the draft Bill is approved rules may be prepared and -- printed along with the Regulation for purpose of easy reference

	Suggestion	Seen etc	Reference etc	Notes
	should come into operation automatically within the -- limits of a municipality as soon as it is constituted			
	(4) The municipal Councils may be given the power to propose suspension of or changes in any of these bye-laws to suit local peculiarities and after all preliminary steps are taken by the municipal Councils the Deputy Commissioner should have the power to sanction the suspension or the changes proposed by the Ml Cl The adoption of the course suggested here regarding by-laws would put an end to one of the biggest evils of municipal administration and o/unicipal Council would then drift helplessly for want of bye-laws			This practically means that by-laws contemplated by the Deputy Commissioner are really rules, Provision in the draft Bill has not been made for empowering the Municipal Councils to -- frame any by-laws These -- matters may be regulated by rules to be made by Govt
Srinivasiengar	4 The present Regulation with -- slight modifications will suit these municipal ties also only instead pf the Municipalities framing their own rules and bye-laws the Govt may frame rules			It is necessary to have a separate Regulation for smaller unicipalities Power is not given to these unicipalities to frame rules or bye-laws in the Bill
	5 Chapter IV of the municipal Regn may be deleted and power taken to frame rules instead or model bye-laws and rules both in English and Kanarese may be provided			In the draft Bill power is taken to the Government to frame such rules in the matter
	and the Education -- ex-officio members of the Council			

From whom received	Suggestion	Sec. etc. referred to	Notes
ty Commr. Chitaldrug Dt	The following sections of the municipal Regulation may be made applicable to minor municipalities in addition to those already made applicable -		
	Secn 27 (1) and (2) Re managing committees	27	
	Secn 59 (8) (v) (3) Re Water-tax where special water supply has been given	59 (8)	A separate Bill has been prepared for smaller municipalities and provision has been made therein for all the matters specified by the Deputy Commissioner
	~~xxxSecnxxxx59(x)~~ Secn 59 (9) ~~Rexxxxxxxxxxxxx~~ Re Lighting tax	59 (9)	
	~~Re~~ Secn 71 Re Water rate	71	
	Secn 126 Re Dangerous quarrying	126	
	Secn 131 (3) Re Deserted buildings	131 (3)	
enue Commissioner	One-half of the municipal Councillors to be elected and the rest to be nominated both from non-officials and officials	10	Necessary provision has been made so that the elected element may be atleast 50 per cent of the strength of the Council after all ex-officio members are included
Deputy Commr. Kolar	50 per cent of the municipal Councillors may be elected and - 50 per cent nominated the local Medical officer, the P W officer and the Educational officer may be ex-officio members of the Council	10	

Deputy Commr Kolar	The elected Vice-President may have a 3 year tenure The present rule of -- his being in office for one year does not look like having given the incumbent of the office sufficient time for showing -- good work	23	The term of the President and Vice-President according to the Regulation as it exists is 3 years As it is proposed to have non-official Presidents generally for smaller municipalities in place of the Amildar or Deputy Amildar, there is no necessity to have Vice-President
Mr B Sreenivasiengar	There need not be separate committees The Education attendance committee may also be merged in the Municipal Council	27	The option to have -- committees is left to the Municipal Council This is not possible The matter has to be regulated by rules framed under the Village Elementary Regulation
Deputy Commr Chitaldrug	The power to sanction leases for a term exceeding 7 years and sale or other transfer of immovable property exceeding Rs 200/- in value may be delegated to -- the Deputy Commissioner	40	According to the draft bill power to contract is subject to rules to be framed by the Govt The matter may be considered when rules are framed There is also provision in the Bill for delegating the powers of the Govt
Revenue Commissioner	In the case of minor municipalities the taxation rules framed under G O No R 6319/ml 81-19-6 dated the 25th November 1920 may be made applicable	59	This is a matter of -- detail to be considered while framing rules The principal provisions have been incorporated in the new Bill

From whom received	Suggestion	Secn etc	Notes.
Mr B Sreenivasiengar	Kind of taxes and maximum rates may be fixed leaving discretion to several municipalities for selection and fixing rates within the maximum	89	The proposal has been adopted.
	Mode of levy and collection should be simplified there should be no bill system the whist collection and levy should correspond to Revenue system as there are no separate collecting agents and as inhabitants are all almost agriculturists	82-86	These are matters of detail which may be considered when the draft Regulation is approved
	As the taxes are charges on the property powers should be given to sell vacant sites for arrears of taxes		It is inexpedient to give this power to the small municipal councils The matter may however be considered while framing rules under the new draft Regulation The mode of recovery is to be prescribed by rules
Deputy Commr Kolar	The fourm for recovering dues of municipal Councils by suits should be the local Village Munsiff Court which should be empowered to entertain such suits	86	The proposal involves an amendment of Secn 11 of the Village Courts Regulation 1913 under which the Court can take Cognizance of cases amounting to not more than Rs 20/- The point may be considered when framing rules under the Regulation after the bill is passed

11/7/27

List of suggestions received with regard to the amendments to the Mysore Municipal Regulation

From whom received	Suggestion	Secn of Ml Cl Regn affected.	Reference to the draft Bill	NOTES
Mr S Sreenivasiengar	The financial and establishment question may be taken up first or taken up along with the question of changing the rules and regulations and solved so as to enable the municipal Councils to discharge their duties efficiently The staff in small municipalities with an income of less than Rs 10 000/- consists of one clerk Patel and Shanbhoge or a single shanbhoge ~~xxxxxxxx~~ servants and sweepers There is none to supervise taxes collection sanitation works, census taking for compulsory education and compulsory vaccination and out-door duties The single clerk who gets a pittance of Rs 20 or ~~Rs~~ 25 per month has to attend to both the executive and clerical duties The funds are not enough to have a whole time shanbhoge ~~xxxxxxx~~ for collection work So the hereditary shanbhoge and Patel do these duties Number of sweepers and servants is not at all sufficient There is no whole time vaccination A solution has to be arrived at to solve this most important matter as good or bad work depends on the financial resources and staff			The question regarding finances and establishment of municipalities raised by Mr Sreenivasiengar has no direct bearing on the question of legislation The points raised relate to the policy of Govt in regard to the extent of the responsibility of the Municipal Councils to provide for medical relief and primary education The present system under which contributions arerecovered or account of Primary education and medical relief and Govt contributions are made to Municipal Councils for sanitary improvements requires revision These questions may be considered in the respective Departments of the Govt in consultation with the Inspector General of Education and the Senior Surgeon As regards grants to Municipal Councils Mr Sreenivasiengar's suggests that fixed annual grant for capital expenditure may be made to Municipal Councils In para 13 of G O No 3005-55/Ml 132-16-1 dated 16th November 1916 Govt have stated that as far as funds are available Govt are prepared as a general

From whom received	Suggestion	Seen by whom	Reference etc	NOTES

Finance - The present income is not at all sufficient to meet even the normal recurring expenditure The taluk headquarters and minor municipalities alone pay educational and medical contributions from a long time whereas District headquarter municipalities pay little or nothing

X X X

As the big municipalities can spare money for improving they get grants also and the small municipalities get nothing as they cannot spare money for a non-recurring capital expenditure

X X X

Those that are fatty and healthy get cod-lever oil whereas those that are - weak and languishing get nothing and are - allowed to run down

rule to grant half the capital cost for schemes duly approved by Govt provided the Municipal Council satisfies Govt of its ability to raise the other half and to meet the annual maintenance charge and that in places where executional difficulties exist in this respect there will be no objection to give special aid as occasions may arise for water supply and other large and urgent schemes of public -- improvement Mr Sreenivasiengar s proposal amounts to the Govt -- making grants to municipalities even though there may not be any scheme ready on which they money

From whom received	Suggestion	Secn etc	Reference etc	N O T E S
	fixed annual grant may be given to all municipalities equally and uniformally for capital expenditure to be supplement by the municipalities from their income if they can afford			has to be spent and may not perhaps be accepted as there is the likelihood of the grant being utilised for ordinary works which itis the duty of the Municipal Council to provide from taxation The principle that the question of Govt grant will be considered when there is any scheme ready to be put into execution is a wholesome one and does not require any modification
	Education - Education cess should be treated as municipal contribution and no further contribution should be levied Most of the inhabitants of small municipalities are agriculturists, and are such they are paying double tax for education, both on land revenue as agriculturists eg Tumkur Town Municipality pays neither Cess or contribution			The collection from Education Cess will be very trifling The D C Mdn may be requested to go into the question of Contributions now recovered from Mlcls and submit a suitable scheme under which all the Municipalities may be required to bear the due share of the charges

whom elved	Suggestion	Secn etc	Reference etc	NOTES.
	Medical - There is no uniformity now To make the levy uniform 5% of the annual normal income may be levied from all municipalities for medical relief the income from such levy will be more than the present income			This is a question of policy and each local body must contribute towards the charges of the institutions maintained for the benefit of the people in the area under its control The Senior Surgeon may however be consulted
	x x x			
	General - Provision should be made to compound municipal offences as forest offences			This has been already provided for in Secn 161A of the Municipal Regulation
	Land Acquisition Proceedings should be simplified and the duties of the local bodies and other officers should be clearly defined			
	The municipalities should be allowed to correspond direct with Govt and send - copy of letters to the Deputy Commissioners for information if necessary			The present practice may continue as the Govt will have the views of - the Deputy Commissioners before them - to facilitate issue of orders

whom ved.	Suggestion.	Seen. etc.	Reference etc.	R E M A R K S.
	The Govt may be requested to get town planning work in small municipalities to be done free of cost by the ~~M~~ Sanitary Department As stated already it is not possible to meet the normal recurring expenditure even even Therefore the Govt may be pleased to give fixed annual grant for -- capital expenditure otherwise these towns cannot have any improvements in their -- present financial condition			An establishment ~~remunerating~~ costing about Rs 5000/- is employed for -- work in connection with Sanitary and Town Planning Scheme . The service of the establishment is advisory and mostly consists in carrying out surveys and preparing plans and estimates The establishment will not be concerned with the working stage of the schemes in the preparation of which it may take part Ordinarily the local bodies who propose to avail themselves of the services of the staff are not required to contribute towards its pay but should bear the travelling allowances of its member who have to visit places where surveys have to be made or works are carried out When a large number

Suggestion.	Secn. etc.	Reference etc.	NOTES.

of local bodies ask for the services of his staff and its strength has to be substancially increased and when the charge to be borne by Govt becomes heavy it is open to Govt to consider to what extent the local bodies benefited should be required to bear the cost of the establishment Vide G O No I 7396-7419/M1 94-24-9 dated 17th April 1925

The municipal account manual rules may be simplified As almost all the small municipalities have got a single clerk the number of registers and forms to be -- maintained and returns to be submitted should be minimised and simplified

The municipal account anual was revised only very recently Changes at frequent intervals are not desirable

rom whom received	Suggestion	Secn etc	Reference etc	NOTES
	Foreign systems like Parish etc are unsuitable to out country Parish system is not introduced even into -- village Panchayets which are small -- enough But this system is introduced into what are called Hamlets Even in England in larger Parishes where -- Parish system is unsuitable the business is conducted through elected Parish -- councils just like our municipal councils it is not at all possible to conduct -- business through the Assembly of all electors in town with a population of 5000 to 6000 or even between 2000 to 5000 therefore I think in my humble opinion that it is not suitable small municipalities			This calls for no remarks as the draft Bill has not provided for working the municipalities on the Parish system it is however provided that -- the administration report should be read over

When received.	Suggestion.	Encn.	Reference etc. etc.	Remarks.
Mr Rangiengar Tumkur	(1) A separate Regulation is necessary for the Mysore City (2) A separate Regulation is necessary for City Municipalities (3) A separate Regulation is necessary for Town Municipalities (4) A separate Regulation is necessary for the smaller -- Municipalities			The enactment of a separate Regulation for City Municipalities is unnecessary as the Bombay Municipal Boroughs Act closely follows the Bombay Municipalities Act on which our Municipal Regulation is based The present Regulation may be restricted to the City and large Municipalities only A Bill to -- amend the present Regulation has -- been prepared A separate Bill for smaller Municipalities also has been prepared
R N Narasinga Rao Mysore	The whole of the Municipal Regulation requires thorough -- overhauling in the light of the experience and also the legislation in the neighbouring Provinces There ought to be a separate Regn for City Municipalities and for -- Town Municipalities In the latter a few sections alone may be made applicable to Minor Municipalities The Regulation for the Cities may with advantage follow the provisions of the Mysore Boroughs Act o			

[illegible]	[illegible]	[illegible]	[illegible]

Deputy Commr Solar

In revising the present Regulation so as to suit the city municipalities, provisions relating to matters of procedure may be left out from it, and -- these be published as rules which may be altered, when necessa a notification in the offici Gazette

It is unnecessary to change the frame work of the present Regulation as the drafting of a separate Regulation for the city municipalities is not -- attempted now

Deputy Commr Chitaldrug

A certain minimum standa either of income or populati both may be laid down as the sit for constituting any are a town or municipal Council would however propose the following rule which need not affect the existing local body -

Town ml. cls	Population 6000 and above	Income 10000 and above
minor ml. cls	"	2000 or 2500 and above

whom eived	suggestion.	Sect etc	Reference etc.	R E M A R K S
venue Commr	Existing Regulation to be made applicable to city Municipalities and to Town Municipalities with a population of 6000 or an income of Rs 12 000	7		Existing Regulation to apply to Municipalities having a population of 5000 and above
Revenue Commr	Not less than 2/3rd of the ~~main~~ councillors to be elected - and the rest to be nominated only among non-officials	10		It is not possible to do away with nominations at present the elected element is raised - from one-half to two-thirds uniformally in all the Municipalities
r Rangiengar Jumkur	Nominations must be reduced if this carnot be abolished			
	The number of members of Town Municipalities must at least be doubled, so that more ~~than~~ men may begin to take part part in the civic welfare of the town	10		This is a matter which does not affect the Regulation

When received	Suggestion.	Mem. etc.	Reference etc.	R E M A R K S.
Revenue Commr	Privilege of having a non-official as President either -- elected by rate-payers or nominated by Govt to be given to larger --- municipalities	23		Necessary provision has been made
Rangiengar, Tumkur	If the number of elected members is declared there may be no necessity to have a President elected by the -- general body of rate-payers			It is not possible to say whether the strength of the council will be -- increased as suggested The provision as regards President being elected by the voters when directed by the Govt may remain undisturbed though for some-time it may not be availed of
Rangiengar	The President may have to be elected by the councillors alone	23		This is the view of the Govt also No special action is called for in the - matter
Revenue Commr	In Municipalities whre there is a separate chief officer there need - not be a separate vice-President	23		The discretion to have a vice-President is left to the council
Mr. Rangiengar	If the principle of having a separate officer is accepted there is no necessity to provide for a vice-President			

Whom eived	Suggestion	Sec etc	Reference etc	N O T E S.
Rangiengar	The rules regarding contracts that may be entered into by the Town Municipal -- Councils shall be greatly relaxed	40		The powers of Municipal Councils in regard to contracts require modification as proposed in clause of the Bill
ty Commr Chitaldrug	Whenever any free grant of land is made by any Town or Minor Municipal Council to -- private individuals for being used for any public purpose or in exchange for any land taken up from private parties for -- Municipal purposes it would be better if the previous sanction of the Deputy Comissioner is - obtained therefor	40 (2)		Under Secn 40 (2) of the Municipal Council itself may dispose of the land if the value does not exceed Rs 200/- and in other cases the sanction of the Govt is necessary It is unnecessary to delegate the power to the Deputy Commissioner in the case of the Town Municipalities If it would be better to require the sanction of Govt in all cases of - Gift whatever may be the value of - the land to be given As regards Minor Municipalities the matter will have to be regulated by rules and there is provision in the Bill for also delegating the power to the Deputy Commr

Where Voted.	Suggestion.	Reference Secn etc	Reference etc.	NOTES.
Mangiengar	It must be left to the Municipal President or a committee to require a particular land if the party is not satisfied with the order of the council he may go to a court against the Municipal Council special rules embodying these principles must be framed	41 and 160		The principle cannot be accepted Following the Bombay Municipal Boroughs Act, a clause has been inserted to amend Secn 160 of the Municipal Regulation so as to enable the Municipal Council to take possession of the land after depositing the cost of compensation
Mangiengar	Regarding rules and bye-laws the Govt or a committee must frame all the bye-laws and it must be made obligatory on all to adopt them The present system is very combrous one The City Municipalities may be allowed their own bye-laws At present no Municipality has found any rules of business Rules of business that can be adopted by the Town and Minor Municipal			As a separate Bill has been drafted for small Municipalities this is necessary Power to frame rules and bye-laws has been given to Municipal Councils in order that they may provide for their particular requirements Uniformity is no the only thing that has to be secured If it were so it would be better if Govt took power to

municipalities must be framed by the Govt and they must be adopted by the municipalities this will secure uniformity in business

Mr Mangiengar more latitude ought to be given to the councils to expend the money and the Govt control should be relaxed — 54,55 and 56

frame rules in the matter

Govt's model rules and bye-laws are available for adoption by any municipal council

this the proposal is not definite

do it must be made obligatory on the town municipalities to maintain their own schools by levying education cess if necessary — 54

this is a matter of policy

Hon Comm A general observations

primary education to be placed under the control of larger municipalities

This is a question of policy

From whom	Suggestion	Section Reference etc etc	NOTES
Mr Rangienger, Tumkur	Regarding taxes, the difference between toll and tax must be made - very clear as it is there is much difficulty	59	The difficulty complained of is not clear Tax has been -- defined so as to include a toll also vide secn 3 (13) of the Municipal Regn
-do-	Even in Town Municipalities -- option must be given to tax buildings on their rental value	59	The principle may be accepted Provision has been made in the Bill
-do-	A sanitary and a lighting cess must be made obligatory	59	The existing power of the Municipal Council to choose the taxes they - wish to impose require no change In case of paucity funds secn 74 empowers Govt to require the Municipal Council to impose any tax

From whom received	Suggestion	Section etc	Reference etc	NOTES
Mr Rangiengar Tumkur	The present method of levying taxes and introducing new taxes is very cumbersome and the method regarding publication etc must be greatly simplified	59 and 60		The present provision affords the inhabitants sufficient opportunity to put in their objection to the levy of any tax may remain unaltered in any new provision that is to be made the existing principles will have to be incorporated
do	The method of recovery of taxes by the Municipality is also very cumbersome	86		The present procedure safeguards the interests of the tax-payers and needs no change
do	Power must be given to the Municipalities to recover taxes by sale of immovable properties instead of them to a civil court			Power to attach immovable property on which tax is due is given to the Municipal Council as in the Bombay Municipal Boroughs Act
Rev Commr	Appeals against demand notices now lie to the Magistrate, this may be modified and the Deputy Commrs empowered to hear them	86		Appeals It is not desirable to give this work to the Deputy Commrs as the parties concerned shall not be deprived of the chance of a prompt judicial decision now provided Provision has also been made for a revision at the instance of the parties concerned of the decision of the Magistrate by the court to which appeals against his or their subordinate

3

From whom received	Suggestion	Section etc	Reference etc	NOTES
r Rangiengar	The powers of the Municipalities for prevention of nuisances must be very much expanded With the development of town and cities such a power is highly essential	-- 151		Larger powers have been proposed to be given in the Draft Bill
v Commr	The Comptroller to be given the power of surcharging the Municipal Councils and President in case of misapplication of municipal funds as the present remedy of seeking redress in a court of law is not ~~fixxx~~ quite effective	171		Power to surcharge is given to the Govt Auditor Provision for -- the appeal to either to the District Court or to the Govt is also made as in other District Municipalities
Rangiengar	The control of the Deputy Commr is removed at least in town Municipalities and the Presidents of these Municipalities must be given powers of direct correspondence with the Govt	175		In some matters restriction is necessary It is essential that the Deputy Comr should be kept informed of what happens in Municipalities

"D R A F T"

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.
GENERAL AND REVENUE SECRETARIAT

No. L. 453-68 / ML 151-26-1 *Dated Bangalore, the.* 15-1-1927

FROM

B. NAGAPPA, Esq., BAR-AT-LAW,
Secretary to the Government of His Highness the Maharaja of Mysore, Local and Legislative Departments,
BANGALORE

To

The Deputy Commissioners of Districts.

The President, Mysore City Municipal Council.

The Municipal Commissioner, Bangalore City through the President

Sir,

Mohamed Abbas Khan, Esq.,

B. Narasinga Rao, Esq.,

K. Matthan, Esq., B.A.,

B.K Garudachar, Esq.,

Rajasabhabhushana
Diwan Bahadur V.Srikantesvara Aiyar, Esq., B.A., B.L.,

C S. Balasunderam Iyer, Esq., B.A.,

Rajasabhabhushana
Diwan Bahadur Sir K.P Puttanna Chetty, Kt., C I E.,

Mushir-ul-mulk
Mir Humza Hussain, Esq., B.A., B.L.,

P.G. D'Souza, Esq., B.A., B.L.,

M. Madhava Rao, Esq., B.A., B.L.,

K. Rangiengar, Esq., B.A., LL.B.,

L.B Manjundiah, Esq.,

B Abdur Rahmon, Esq., B.A.,

C B Gopala Rao, Esq.,

K. Venkatasamiah, Esq., B.A., B.L.,

B. Srinivasiengar, Esq.,

L. Vema Reddy, Esq.,

L. Shama Sastry, Esq.,

C. Subba Rao, Esq., B.A., B.L.,

S. Venkatesiah, Esq.,

G. Ramasiviah, Esq., B.A., LL.B.,

J. Audrapur, Esq., M.A., LL.B.,

Sylvester Paul, Esq.,

Adi Chandrasekhaiah, Esq.,

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE
GENERAL AND REVENUE SECRETARIAT

No. L. 4535-68
ML 151-26-1

Dated Bangalore, the 15-1-1927

From

B NAGAPPA, Esq, BAR AT LAW,
Secretary to the Government of His Highness
the Maharaja of Mysore, Local and Legislative Departments,
BANGALORE

To

Sir

It is under contemplation to revise the existing Municipal Regulation so as to make it applicable to City Municipalities and other important Town Municipalities and to enact a separate Regulation for smaller Municipalities in the State Government will be thankful -- if you will be so good as to forward before the 15th February 1927 any suggestions that you may wish to make both as regards the principles that should underlie the two proposed Regulations and as regards details of sections as they may be framed It is sufficient if --- proposals that you consider to be important are made now, as a Committee will be appointed to go into the question in more detail.

I have the honour to be,
Sir,
Your most obedient servant,

Per Secretary to Government,
Local and Legislative Departments

Fair Draft
15.1.27

"DRAFT"

GENERAL AND REVENUE SECRETARIAT

G.O No. 6752 Dated Bangalore 8 Feb 27

Dear Sir,

With reference to our conversation regarding the suggestions to revise the Mysore Municipal Regulation, I am to state that a requisition to the address of the Municipal Commissioner, Bangalore City through the President was made in this office letter No. A.455-68/P.1 151-A-1 dated 15th January 1927. A copy of the letter is enclosed for your reference and the suggestions therein called for may be kindly sent as early as practicable

Yours sincerely

Prompt 16/2/27

T. Govinda Rao, Esq.,
Municipal Commissioner,
City Municipal Council,
Bangalore.

Tel. Address:
EDUCAGEN, BANGALORE

Phone, Central
Post Box No. 4

DEPARTMENT OF EDUCATION

GOVERNMENT OF MYSORE

D O

Mr. K. MATTHAN,
Inspector-General of Education.

BANGALORE

5th February 27

Dear Sir,

Will you please send a copy of ~~xxxx~~ letter No.L.4535-68/ML 151-26-1 dated 15th January 1927 in connection with the revision of the Municipal Regulation as the same does not seem to have been received in the office?

Yours sincerely,

Asst. Inspector General

T. Singaravelu Mudaliar, Esq., B A B L,
Assistant Secretary to Government,
Law Department, Bangalore

Draft replies sent

GENERAL AND REVENUE SECRETARIAT

D O No. L 6341 Enq. *Dated Bangalore* 8th March 27

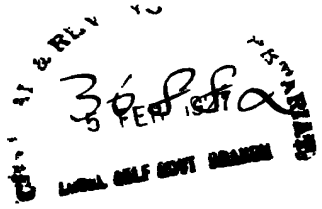
Dear Sir,

I am enclosing a copy of letter No. L.4535-68/M1 151-26-1 dated 15th January 1927 in connection with the revision of the Mysore Municipal Regulation as - desired in your D.O. of the 5th instant.

Yours sincerely,

Draft
Sr
8/3/27

R. Tirumalachar, Esq., B.A.,
Assistant Inspector General of Education,
BANGALORE



From

W Basseem Vasaeefer

Inamdar

Anekal

To B Nagappa Esqire Bar-at-Law

Secretary to the Government of His Highness

the Maharaja of Mysore Local & Legislative Depth

Bangalore

Sir,

I have the honor to acknowledge with thanks your letter no L 45-35-68 of 15-1-1927 asking suggestions for a separate Republican for Small Town Municipalities, the same before the 15th instant I was busy with Taluka Board business till the end of January 1927 and as such I was not able to take up this business

As it will not be possible for me to study and send my suggestions before the 15th instant, I request you to be so good as to extend the time till the 15th March 1927

I have the honor

to be

Sir

Your most obedient Servant

Basseem Vasaeefer

4th February 1927

Anekal

Draft replies Sanctd

DS

5/2/27 Immediately

CS

5/2

No L 5632 Dt 11-2-27

Dear Sir,

In reply to your letter dated 4th February 1927 requesting that the time for sending your suggestions in regard to the enactment of a separate Regulation for small Municipalities may be extended till 15th March 1927, I write to state - that your suggestions may be submitted as early as practicable and that Government would be obliged if they could be s before the 1st March 1927

Yours sincerely,

DS
5/2/27

B Srinivasiengar, Esq ,
Inamdar,
Anakal